




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AR5
JPW

In the application of
NICK E. CIAVARELLA, *et al.*
Serial No. 10/693,534
Filed: October 25, 2003
For: UNIVERSAL ADAPTER CLIP

CERTIFICATE OF MAILING

I hereby certify that the following correspondence was deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 10, 2007.


Martha L. Hastings, Secretary to Shannon V. McCue

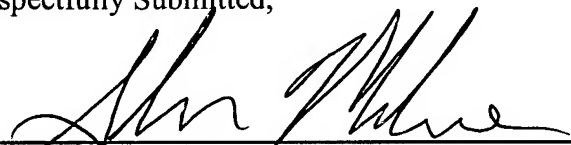
TRANSMITTAL SHEET

Enclosed are the following documents:

Reply Brief (*with Certificate of Mailing*)
Return Receipt Postcard

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.

Respectfully Submitted,


Shannon V. McCue, Reg. No. 42,859
Renner, Kenner, Greive, Bobak, Taylor & Weber
Fourth Floor, First National Tower
Akron, Ohio 44308-1456
Telephone: (330) 376-1242
Attorney for Applicants

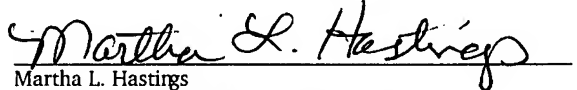


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of
NICK E. CIAVARELLA, *et al.*
Serial No. 10/693,534
Filed: October 25, 2003
For: UNIVERSAL ADAPTER CLIP

CERTIFICATE OF MAILING

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 10th day of May, 2007.


Martha L. Hastings
Sec'y. to Shannon V. McCue. Reg. No. 42.859

Mail Stop Appeal Brief -- Patents
Commissioner for Patents
Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

This is a Reply to the Examiner's Answer filed on April 2, 2007, by the Board of Patent Appeals.

The Applicants have reviewed the Examiner's Answer and maintain that the Examiner's rejection of the claims based on Gerenraich is improper. In response to the Applicants' argument, the Examiner argues that the Gerenraich dispenser as a whole is considered to be a universal clip that attaches to the container stating that the clip as claimed does not have to be made out of one unitary piece. The Applicants respectfully disagree because a clip is claimed and not a dispenser. Moreover, the Examiner has ignored structural relationships between the claimed elements that contradict the Examiner's statement. In particular, the claimed universal adapter clip has a hollow body with a flange extending radially outward from the body and a tab extending rearwardly from the body and axially spaced from the flange. Since both the flange and tab are recited as extending from the body, the Examiner's argument that a flange located in one portion of Gerenraich's dispenser and a tab located in a separate portion of Gerenraich's dispenser does not disclose all of the limitations found in claim 1. The use of the term "extending" requires that these structures at least be attached to the hollow body such that they operate as a unitary structure to bypass keying system when inserting a container into a dispenser. The Examiner's reference

to a separate flange and tab that are not structurally interrelated in this fashion does not anticipate the Applicants' claims. Therefore, the Applicants respectfully request reconsideration of the Examiner's rejection and issuance of a Notice of Allowance.

Respectfully submitted,



Shannon V. McCue, Reg. No. 42,859

Ray L. Weber, Reg. No. 26,519

Renner, Kenner, Greive, Bobak, Taylor & Weber

First National Tower - Fourth Floor

Akron, Ohio 44308-1456

Telephone: (330) 376-1242

Facsimile: (330) 376-9646

Attorneys for Applicants